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FILED

6/25/09

**NEW JERSEY BOARD OF
SOCIAL WORK EXAMINERS**

J. Michael Walker
Executive Director

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF:

KATHLEEN LAWLESS-SCHMIDT, MSW
License No. 44SC04392300

PRACTICING CLINICAL SOCIAL WORK
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Social Work Examiners (the "Board") upon receipt of respondent Kathleen Lawless-Schmidt's ("respondent") application for reinstatement of her license to practice clinical social work in this State. Respondent first became licensed on August 3, 1996. However, her license expired August 31, 2006. From that time until August 11, 2008, when her license was reinstated by the Board, she continued to engage in the practice of clinical social work in this State, holding herself out as a Licensed Clinical Social Worker, although she was not licensed during that time. Respondent began the reinstatement process during 2007, but failed to complete all of the necessary requirements until August 2008.

Having reviewed all of the information provided in this matter, the Board finds that respondent practiced clinical social work without a license from August 31, 2006 until August 11, 2008, in violation of N.J.S.A. 45:1-7.1(c), thus providing a basis for disciplinary action. Respondent, being desirous of resolving this matter and without the necessity of formal proceedings, and agreeing to waive any right to same, and the Board having determined that this Order is sufficiently protective of the public health, safety and welfare, and all parties agreeing to the terms of this Order;

IT IS THEREFORE ON THIS 25th DAY OF *June*, 2009,

ORDERED THAT:

1. Respondent's license to practice Clinical Social Work in the State of New Jersey shall be placed on probation for a period of one year, contingent on compliance with the terms of the Consent Order and the laws governing the practice of clinical social work. During the period of probation, respondent's provision of social work services shall be supervised weekly by a New Jersey licensed clinical social worker who satisfies the requirements of N.J.A.C. 13:44G-8.1 and who shall be pre-approved by the Board following submission of his or her credentials to the Board. Roseanne Palladino, LCSW shall not serve as respondent's supervisor. The prospective supervisor shall be provided with a copy of this Consent Order. He or she shall submit to the Board a curriculum vitae along with a signed copy of this Consent Order, indicating that he or she has read the Order and agrees to comply with its terms. Respondent and her supervisor shall meet face-to-face a minimum of one hour per week, with the exact frequency to be determined by the supervisor, to review all of respondent's cases. The supervisor shall provide quarterly progress reports regarding supervision of respondent. An unfavorable report may be considered a violation of this Consent Order. In the event the supervisor

becomes aware of a violation of the laws governing the practice of clinical social work, he or she shall notify the Board by telephone and in writing within forty-eight hours. At the conclusion of the year of supervision, the supervisor shall submit to the Board a final report assessing respondent's ability to resume the independent clinical practice of social work. Supervision shall continue until further order of the Board approving discontinuance.

2. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$7,500 for the unlicensed practice of social work. Payment of the civil penalties shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Kay McCormack, Executive Director, Board of Social Work Examiners, 124 Halsey Street, Sixth Floor, P.O. Box 45033, Newark, New Jersey 07101. Respondent shall make twelve monthly payments of \$625 per payment. The first payment shall be due contemporaneously with the signing of this Consent Order and subsequent payments shall be due by the first of each month until all twelve payments are completed. In the event that respondent does not make a timely payment, the full balance will immediately become due. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

3. Respondent shall successfully complete ten (10) credits of continuing education courses in ethics. Respondent shall submit the specific courses proposed to satisfy this requirement to the Board for approval within sixty days of the entry of this Order, and shall complete the courses during the period of suspension set forth herein. These courses are in addition to the regularly required continuing education hours. Respondent shall provide the Board with proof of successful completion for each course taken.

4. Respondent shall identify to the Board all insurance companies for which she is a participating provider, to which she submits insurance claims, or to which insurance claims are submitted by the practice for services she provides. Failure to provide a complete and accurate list to the Board will be deemed to be a violation of this Consent Order.

NEW JERSEY BOARD OF SOCIAL WORK EXAMINERS

By: Doreen J. Bobby
Doreen J. Bobby, MSW, LCSW
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

Kathleen P. Lawless-Schmidt, MSW, LCSW
Kathleen Lawless Schmidt, MSW, LCSW

5/30/09
Date

Consent is given as to form and entry of this Order:

Bonnie M. Weir
Bonnie M. Weir, Esq.
Attorney for Kathleen Lawless Schmidt, MSW, LCSW

6/2/09
Date

I have read the attached Consent Order.

I agree to supervise Kathleen Lawless Schmidt's clinical practice of social during face-to-face sessions, and to report quarterly to the Board regarding her progress, as set forth above.

Jamie L. Nappi LCSW
Supervisor Signature

Print name: Jamie L. Nappi License #: 45C04772500
Telephone # 732-713-7391
(including area code and extension number)